
A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii's public
2 employers have in place return to work programs for their
3 eligible injured employees on workers' compensation. These
4 return to work programs give priority consideration to retaining
5 eligible injured public employees so that they can return to
6 work with their employer as soon as possible in a cost effective
7 manner.

8 The legislature further finds that if a return to their
9 public employer cannot be successfully accomplished through the
10 return to work program, then additional vocational
11 rehabilitation services provide another avenue for the injured
12 public employees to seek suitable and gainful employment, unless
13 an employee chooses to retire.

14 The purpose of this Act is to help coordinate the efficient
15 use of public employer return to work programs in accordance
16 with vocational rehabilitation under the workers' compensation
17 law.



1 SECTION 2. Section 386-25, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The purposes of vocational rehabilitation are to
4 restore an injured worker's earnings capacity as nearly as
5 possible to that level that the worker was earning at the time
6 of injury and to return the injured worker to suitable gainful
7 employment in the active labor force as quickly as possible in a
8 cost-effective manner. Vocational rehabilitation shall not be
9 available for employees who have retired from the employer with
10 whom they sustained their work injury.

11 Employees of public employers as defined in section 76-11,
12 who are eligible for their respective public employer's return
13 to work program, shall participate in and complete the return to
14 work program, including temporary light duty placement efforts,
15 as a prerequisite to vocational rehabilitation benefits under
16 this section."

17 SECTION 3. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Vocational Rehabilitation

Description:

Requires injured public employees who are eligible to take part in an employer's return to work program do so as a prerequisite to vocational rehabilitation benefits. (HB1268 HD1)

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